

**UNITED STATES OF AMERICA
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

CHAIRMAN:
Judge Wm. Terrell Hodges
United States District Court
Middle District of Florida

MEMBERS:
Judge John F. Keenan
United States District Court
Southern District of New York

Judge Bruce M. Selya
United States Court of Appeals
First Circuit

Judge Julia Smith Gibbons
United States Court of Appeals
Sixth Circuit

Judge D. Lowell Jensen
United States District Court
Northern District of California

Judge J. Frederick Motz
United States District Court
District of Maryland

Judge Robert L. Miller, Jr.
United States District Court
Northern District of Indiana

DIRECT REPLY TO:

Michael J. Beck
Clerk of the Panel
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January 27, 2004

J. Michael McMahon, Clerk
Daniel Patrick Moynihan
U.S. Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: MDL-1570 -- In re Terrorist Attacks on September 11, 2001

John P. O'Neill, Jr., et al. v. The Republic of Iraq, et al., D. District of Columbia, C.A. No. 1:03-1766 *RBW*

Dear Mr. McMahon:

I am enclosing one certified and additional copies of a conditional transfer order filed by the Panel in the above-captioned action on January 9, 2004. Section 1407 requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred." As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer if they wish to do so. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

A list of involved counsel is attached.

Very truly,

Michael J. Beck
Clerk of the Panel

By 
Deputy Clerk

Attachment

cc: Transferee Judge: Judge Richard C. Casey
Transferor Judge: Judge Reggie B. Walton
Transferor Clerk: Nancy Mayer-Whittington

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

JAN 09 2004

DOCKET NO. 1570

FILED
CLERK'S OFFICE

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION
IN RE TERRORIST ATTACKS ON SEPTEMBER 11, 2001

John P. O'Neill, Jr., et al. v. The Republic of Iraq, et al.,

D. District of Columbia, C.A. No. 1:03-1766

~~*Diane Keating, etc. v. Al Baraka Investment & Development Corp., et al.,*~~

~~E.D. New York, C.A. No. 1:03-3859 Order vacated 1/27/04~~

CONDITIONAL TRANSFER ORDER (CTO-1)

On December 9, 2003, the Panel transferred two civil actions to the United States District Court for the Southern District of New York for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. With the consent of that court, all such actions have been assigned to the Honorable Richard C. Casey.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Southern District of New York and assigned to Judge Casey.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Southern District of New York for the reasons stated in the order of December 9, 2003, ___ F.Supp.2d ___ (J.P.M.L. 2003), and, with the consent of that court, assigned to the Honorable Richard C. Casey.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Southern District of New York. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Michael J. Beck

Michael J. Beck
Clerk of the Panel

Inasmuch as no objection is
pending at this time, the
stay is lifted.

JAN 27 2004

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

INVOLVED COUNSEL LIST (CTO-1)
DOCKET NO. 1570
IN RE TERRORIST ATTACKS ON SEPTEMBER 11, 2001

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